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GOVERNMENT OF KERALA

Higher Education (B) Department

NOTIFICATION

No. 4395/B2/75/H.Edn. *Dated, Trivandrum, 17th March* 1975.

S.R.O. No. 245/75.—In exercise of the powers conferred by section 83 of the Calicut University Ordinance, 1974 (15 of 1974), the Government of Kerala hereby make the following First Statutes for the conduct of elections to the various authorities or bodies of the Calicut University namely:—

CHAPTER I

GENERAL

1. *Short title and commencement.*—(1) These Statutes may be called the Calicut University (Conduct of Elections to Various Authorities or Bodies) First Statutes, 1975.

(2) They shall come into force at once.

2. *Definitions.*—(1) In these Statutes, unless the context otherwise requires,—

(a) "Ordinance" means the Calicut University Ordinance, 1974 (15 of 1974);

(b) "Ballot box" includes any box, cover, bag, or other receptacle used for insertion of ballot paper by voters;

(c) "Candidate" means a person qualified to seek election, who has been duly nominated in accordance with these Statutes;

(d) "Clear days" means the number of days to be counted excluding the first and the last day;

(e) "College of Oriental Languages" means a college which imparts instruction for courses of study in 'Oriental Languages' only and for the preparation of students for degree, titles or diplomas of the University in such language;

(f) "Continuing Candidate" means a candidate not elected or not excluded from the poll at any given time;

(g) "Elector" means a person who is qualified to vote at the election;

(h) "Exhausted Paper" means a ballot paper on which no further preference is recorded for a continuing candidate, provided that a paper shall also be deemed to be exhausted in any case in which—

(i) the names of two or more candidates, whether continuing or not, are marked with the same figure and are next in earlier preference;

(ii) the names of the candidates next in order of preference whether continuing or not, is marked by a figure not following consecutively after some other figure on the ballot paper or by two or more figures;

(i) "First Grade College" means a college which instructs students for examination qualifying for degree;

(j) "First preference" means the figure 1 set opposite to the name of any candidate. "Second preference" means the figure 2. "Third preference" means the figure 3 and so on;

(k) "Junior College" means a college imparting instruction in pre-degree course only;

(l) "Original votes" in regard to any candidate means the votes derived from ballot papers on which a first preference is recorded for such candidate;

(m) "Polling Station" means the place fixed for conducting the poll at the election;

(n) "Professional College" means a college in which instruction is given in any of the following subjects:—

(i) Engineering and/or Technology;
(ii) Medicine;
(iii) Ayurveda;
(iv) Law; and
(v) Education.

(o) "Returning Officer" includes any Assistant Returning Officer performing any function, he is authorised to perform by the Returning Officer;

(p) "Section" means a section of the Ordinance;

(q) "Surplus" means the number by which the votes of any candidate, original and transferred exceed the quota as defined in Statute 56;

(r) "Transferred Vote" in regard to any candidate means a vote credited to such candidate and which is derived from a ballot paper on which a second or subsequent preference is recorded for such candidate;

(s) "Unexhausted paper" means a ballot paper on which a further preference is recorded for a continuing candidate;

(t) "University" means the University of Calicut.

(2) The words and expressions used and not defined in these Statutes but defined in the Calicut University Ordinance, 1974 (15 of 1974), or in the Interpretation and General Clauses Act, 1125, shall have the meanings respectively assigned to them in that Ordinance or that Act.

3. *Procedure for the conduct of elections*—(1) All elections shall, save as otherwise provided in these Statutes, be held by postal ballot and in accordance with the provisions of Chapter II.

(2) The election of members to the Senate under items (4), (9) and (12) under the heading "Elected Members" in section 17 and under clauses (a) and (b) under the heading "Elected Members" in sub-section (2) of section 29 of the Ordinance shall be held otherwise than by postal ballot and in accordance with the provisions of Part A of Chapter III.

(3) The election of members to the Senate under items (5), (6) and (10) under the heading "Elected Members" in section 17 and under clauses (p) and (r) of sub-section (3) of section 24 shall be held without postal ballot and in accordance with the provisions of Part B of Chapter III.

(4) In the case of election of members to the Senate by the members of the Legislative Assembly of Kerala from among the members representing the electorate of the University area under item (3) under the heading "Elected Members" in section 17 of the Ordinance, the procedure laid down in Chapter IV shall be followed.

4. *Vice-Chancellor responsible for the conduct of election*—(1) Subject to the other provisions of these Statutes, the Vice-Chancellor shall be responsible for the conduct of all elections held by the University and shall have power—

(a) to fix the date, place and time of all elections;

(b) to prescribe the form of notice, nomination, letter of intimation, declaration paper, ballot paper, ballot paper cover and the envelope for any election, the form of any other record to be prepared or maintained relating to an election and the instructions to be contained in the notification;

(c) to decide, in cases of doubt, the validity or invalidity of each ballot paper or of each vote recorded thereon;

(d) to declare the result of each election; and

(e) to fix;

(i) the date of notification;

(ii) the last date for receipt of nominations;

(iii) the date of scrutiny of nominations and publication of list of candidates validly nominated;

(iv) the last date and hour for withdrawal of candidature;

(v) the date of publication of the final list;

(vi) the date of issue of ballot paper;

(vii) the date and hour for the poll;

(viii) the date and hour of scrutiny and counting of votes.

(2) It shall be competent for the Vice-Chancellor when any emergency arises—

(i) to assume the powers of the Returning Officer and function as such either by himself or by deputing any other person when in the course of the conduct of any election, the Returning Officer cannot carry on his duties; or

(ii) to postpone the date or dates fixed in the programme for transaction of business connected with the election at any intermediate stage. The Vice-Chanceller shall record his reasons for so doing.

5. *Decisions of the Vice-Chancellor.*—(1) Unless otherwise specifically provided, the decision of the Vice-Chancellor on any question relating to election shall be final.

(2) If any question arises as to whether any person has been duly elected as or is entitled to be a member of any authority or body of the University, the Vice-Chancellor shall refer it to the Chancellor, whose decision thereon shall be final.

6. *Returning Officer.*—The Registrar or any other person authorised by the Vice-Chancellor shall be the Returning Officer for elections held by the University.

7. *General Duty of the Returning Officer.*—(1) It shall be the general duty of the Returning Officer at any election to do all such acts and things as may be necessary for effectually conducting the election in the manner provided by these Statutes.

(2) The Returning Officer may for sufficient cause, with the previous consent of the Vice-Chancellor, postpone the date or dates fixed in the programme for publication of final list of valid nominations, for despatch of ballot papers, for poll or for scrutiny and counting of votes, when at any intermediate stage of an election any objection to any question is raised which necessitates the postponement of the programme.

8. *Assistant Returning Officer.*—(1) The Returning Officer may appoint one or more Assistant Returning Officers to assist him in the performance of his functions.

(2) Every Assistant Returning Officer shall, subject to the control of the Returning Officer, be competent to perform all or any of the functions of the Returning Officer:

Provided that no Assistant Returning Officer shall perform any of the functions of the Returning Officer which relate to the counting of postal ballot and announcement of result of election unless the Returning Officer is unavoidably prevented from performing the said functions.

(3) Reference in these Statutes to the Returning Officer shall, unless the context otherwise requires, be deemed to include an Assistant Returning Officer performing any function he is authorised to perform under clause (2).

9. *Elections in anticipation of vacancies.*—The Vice-Chancellor, shall have the power to direct the holding of elections in anticipation of vacancies that are about to occur by efflux of time.

10. *Election not invalid by reason of vacancies in electorate.*—(1) No election to an authority of the University shall be invalid by reason of any vacancy among the persons entitled to vote at such election or on account of the non-receipt or loss during transmission of any notice, ballot paper, or any other paper connected with the election.

(2) No act or proceeding of any authority or other body of the University shall be invalid merely because of the invalidity of the election of any of the members.

11. *Disqualifications for membership or for continuing as a member of any of the Authorities of the University.*—No person shall be qualified to seek election for any of the Authorities of the Univeristy or continue as a member of any such authority if he is subject to any of the disqualifications mentioned in sub-section (1) of section 33 of the Calicut University Ordinance, 1974 (15 of 1974), subject to the exceptions mentioned therein.

Method of preparation of Electoral Rolls

12. *Maintenance of Electrol Rolls*—The Returning Officer shall maintain an electoral roll for each electoral body entitled to elect members at any election conducted by the University, showing the names and addresses of all persons.

13. *Publication of electoral roll.*—The electoral rolls shall be published in the University Office not less than 30 clear days before the date of notification of the election. The Returning Officer shall notify the date of publication of each electoral roll, not less than 30 clear days before the date of publication of the roll, in newspapers approved by the Vice-Chancellor for the purpose.

14. *Eligibility to take part in elections.*—The names of persons who are on the electoral body 60 days before the date of publication of the roll

alone shall be included in the electoral roll, and such persons alone shall be entitled to participate in the election, provided that any person who ceases to be a member of an electoral body before the date of issue of the ballot paper from the University Office shall not be entitled to participate in the election.

15. *Corrections, alterations, etc., in electoral roll.*—It shall be competent for the Returning Officer to make any addition, correction, alteration or deletion in any electoral roll, provided that the fact necessitating such correction or alteration or deletion is brought to his notice within 15 days after the publication of the electoral roll and that he is satisfied that such correction or alteration or deletion is necessary.

16. *Prices of copies of electoral roll.*—Copies of the electoral roll or part thereof shall be made available to the electors on request and on payment of the price to be fixed for the roll or part thereof by the Vice-Chancellor.

17. *Electoral roll of Principals of Colleges.*—The electoral roll of the Principals of Colleges shall contain the name and official address of the Principals concerned.

18. *Electoral roll of registered graduates.*—In the case of registered graduates, the electoral roll shall contain the names and addresses of registered graduates of the University whose names are so registered in the Register of registered graduates not less than 60 days prior to the publication of the electoral roll.

19. *Electoral rolls of Teaching staff of Colleges and University for election to the Senate.*—The electoral rolls of the teaching staff of colleges affiliated to the University and the teachers of the University shall include the following:—

(i) names and official addresses of the teachers of the Colleges whose appointments have been approved by the University. The rolls shall be prepared separately for Private and Government Colleges;

(ii) names and official addresses of the teachers of the University.

20. *Electoral Rolls of Local Authorities.*—The electoral rolls of members of local authorities of each district representing the University area shall be prepared district-wise for Corporations, Municipalities and Panchayats on the baisis of the list of Councillors/members available at the time of preparation of the electoral roll.

21. *Electoral Roll of Registered Trade Unions.*—The electoral roll of the Registered Trade Unions shall include only the registered trade unions in the University area which have a membership of over 2000 as on the first day of May of the year succeeding the Calendar yar to which the Returns relate under the Kerala Trade Union Regulations for the time being in force. The electoral roll shall be prepared with reference only to such annual returns of the Trade Unions as have actually been received by the Registrar of Trade Unions in proper form and in time. It shall contain only the name and address of the President of the Union concerned.

22. *Electoral Roll of employees other than teachers of University.*—The electoral roll of employees other than teachers of the University shall contain the name and designation of all the regular full time employees of the University other than teaching staff but shall not include those paid from contingencies or on a part time basis.

23. *Electoral roll of non-teaching staff of affiliated colleges.*—The electoral roll of the non-teaching staff of affiliated colleges shall include the name and designation of all the approved non-teaching staff of such colleges other than those paid from contingencies or on a part time basis or working in the hostel and shall be prepared college-wise.

24. *Electoral roll of the Managers of private colleges.*—The electoral roll of the Managers of Private Colleges shall contain the name and address of the Manager and the name or names of colleges wherein he has been appointed as the Manager.

25. *Electoral roll of teachers entitled to elect members to the Academic Council.*—Electoral roll for election to the Academic Council by teachers belonging to each subject shall be prepared Department-wise, College-wise and subject-wise basis. The electoral roll shall include the names and college address of teachers in each subject in the colleges and in the departments maintained by the University.

26. *Electoral rolls of full time post-graduate students of each faculty entitled to elect members to the Academic Council.*—An electoral roll for the full time post-graudate students of each faculty shall be maintained. It shall contain the name, class and college address of those students who are receiving instructions for full-time regular post-graduate course (only post-graduate courses in the respective faculties) in affiliated colleges and departments of the University, and who are on the admission register of the colleges and departments concerned, 60 days prior to the publication of the electoral rolls.

27. *Electoral roll of the Members of the General Council of the University Union and Full-time students of the departments of the University for election to Students Council.*—The electoral roll shall contain the name and college address of all the members of the general council of the University Union constituted by the University in accordance with the constitution of the University Union. In the case of full-time students of the departments of the Univerity, it shall, show the names of the full-time students department-wise.

28. *Electoral roll of other electorates.*—Separate electoral rolls showing the names and addresses of the members shall be prepared for all other elections as and when required and it shall contain the names of only those who are members of the electorate concerned, 60 days prior to the publication of the respective electoral rolls.

29. *Election Disputes.*—An election petition calling in question any election shall be made in writing and in the manner prescribed in Chapter V.

It shall be forwarded to the Vice-Chancellor with a fee of Rs. 100 remitted in a treasury to the credit of the Calicut University Fund so as to reach him within seven days of the declaration of the result of the election.

30. *Preservation of election papers.*—The nomination papers, ballot papers, declaration papers and the ballot paper covers shall be preserved in the University Office for a period of one month after the date of declaration of the results, or if a dispute arises regarding the election, until it is disposed of Thereafter, they may be destroyed.

31. *Prohibition of simulataneous membership.*—A person who has given his nomination for election to a body or authority through more than one electorate and who has been declared elected by more than one such electorate of the same body or authority shall retain membership of only one of the electorates which he may choose within fifteen days of the declaration of the result of election. If he fails to do so, he shall be deemed to be a member of only the electorate, the result of which election has been declared first.

32. *Candidature of a person already elected to a body for election to the same body from another electorate.*—No person who has been elected from a particular electorate shall be eligible to stand as a candidate for election to the same body or authority from more than one of the electorates without resigning his membership from the body or authority as the case may be. It shall be competent however in the case of an anticipatory vacancy, for a person who is already a member of the authority elected by a particular electorate to stand as a candidate in such anticipatory vacancy, provided the date of membership in that vacancy is posterior to the date on which he ceases to be a member of that authority.

33. *Date of effect of result of elections.*—The results of all elections shall be published in the Gazette. Anticipatory elections shall take effect from the date of occurrence of the vacancy, and other elections from the date of notification of the result of the election.

Chapter II

PROCEDURE FOR ELECTION BY POSTAL BALLOT

34. *Notification of elections.*—When any vacancy occurs or is about to occur by efflux of time among the members of any University Authority or Body which has to be filled up by election, or if an election has to be conducted for the constitution of any Body, Authority, or any Committee thereof according to the provisions of the laws of the University, the Returning Officer shall, under the directions of the Vice-Chancellor, notify the fact in the Kerala Gazette and also simultaneously cause the notification to be published in newspapers approved by the Vice-Chancellor for the purpose. The

notification shall contain the programme of the election from the date of notification of election, giving the following particulars:—

(1) date of notification;

(2) last date for receipt of nomintions;

(3) date of scrutiny of nomination and publication of list of candidates validly nominated;

(4) last date and hour for withdrawal of candidature;

(5) date of publication of the final list of candidates;

(6) date of issue of ballot paper;

(7) date and hour fixed for the poll;

(8) date and hour of scrutiny and counting of votes.

35. *Presentation of nomination paper and requirements for a valid nomination:*—(1) On or before the date appointed under Statute 34, each candidate shall either in person or by his proposer between the hours of eleven O'clock in the forenoon and three O'clock in the afternoon deliver to the Returning Officer at the place specified in this behalf in the notification issued under Statute 34, a nomination paper in the prescribed form, which shall, on application, be supplied free of cost by the Returning Officer to any elector whose name is in the electoral roll:

Provided that no nomination paper shall be delivered to the Returning Officer on a day which is a holiday.

(2) Every nomination paper shall be proposed by an elector whose name is in the electoral roll and seconded by another elector of the concerned constitutency with his signature. The candidate shall sign a declaration on it expressing his willingness to serve on the University authority or body as the case may be, if elected.

He shall also make a statement to the effect that he is not already a member of such authority or body or if he is already a member in such capacity, his term of office would expire before the membership for which he is seeking election takes effect. The nomination paper shall reach the Returning Officer within the date and hour fixed, which shall not be earlier than 14 clear days after the date of publication of the notification in the news papers.

36. *Scrutiny of nominations.*—All nomination papers received through the post or deposited in the box provided for the purpose in the office of the Returning Officer within the prescribed hour on the prescribed date shall be scrutinised by the Returning Officer. The candidate or his representative who shall be appointed in writing by him and approved by the Returning Officer, may be present at the time of scrutiny of nomination.

37. *Decisions of the Returnnig Officer on objections.*—The Returning Officer shall then examine the nomination papers and decide all objections which

may be made at the time to any nomination and may, either on such objection, or on his own motion, after such summary enquiry, if any, as he thinks necessary, reject any nomination, on any of the following grounds:—

(a) that the candidate is ineligible for election under sub-section (1) of section 33 of the Ordinance, subject to the exceptions mentioned therein;

(b) that the seconder is a person whose name is not registered in the electoral roll;

(c) that the signature of the candidate or seconder is not genuine or has been obtained by fraud.

The decision of the Returning Officer shall, in each case, be endorsed by him on the nomination paper in respect of which such decision is given.

38. *List of candidates validly nominated.*—A list of candidates whose nominations have been declared valid shall be published with their names and addresses by affixing the same on the notice board in the office of the Returning Officer on the same day. The names of the candidates in the list shall be in the serial order of their electoral roll numbers.

39. *Withdrawal of candidature.*—Any candidate may withdraw his candidature by notice in writing signed by him and either sent by registered post or delivered in person or by messenger to the Returning Officer so as to be received by him not later than the hour on the day fixed for withdrawal, which shall not be less than 5 clear days after the last date for the receipt of nominations, and the withdrawal once made shall be final. A candidate who has withdrawn his nomination shall not be eligible for renomination as a candidate for the same election to the same authority or body.

40. *Final list of candidates.*—The Returning Officer shall, after expiry of the period fixed for withdrawal of candidature, publish in the University Office, a final list of candidates validly nominated. The final list of candidates validly nominated shall show the name, roll number, and the designation, if any, and address of the candidates.

41. *Declaration of election of validly nominated candidates.*—If the number of candidates validly nominated and not withdrawn does not exceed the number of vacancies to be filled by election, such candidate shall be declared to have been duly elected. If the number of candidates validly nominated and not withdrawn is less than the number of vacancies to be filled by election, such candidates shall be declared to have been duly elected, and the electorate shall be called upon to elect a person or persons, as the case may be, to fill the remaining vacancy or vacancies. If the number of candidates validly nominated and not withdrawn exceeds the number of vacancies to be filled by election, then the Returning Officer shall proceed with the election in the manner hereinafter prescribed.

42. *Despatch of Ballot Paper.*—The Returning Officer shall forward to each elector, through the post, a serially numbered declaration paper,

a ballot paper containing the names and addresses of all candidates in the same order as in the final list of candidates validly nominated and bearing the initials of the Returning Officer and the date of posting, a ballot paper cover, and an envelope addressed to the Returning Officer and bearing a number corresponding to the serial number of the declaration paper, together with the letter of intimation stating the number of vacancies to be filled by election, the date and hour fixed for the poll and the date and hour fixed for the scrutiny and counting of votes, and such guidance to the voters for exercising their franchise as may be deemed necessary. The papers shall be forwarded to the address of each elector as given in the electoral roll of the constituency or, if any elector has since the publication of the roll changed his address, to the address changed, provided the fact has been intimated to the returning officer not less than 14 clear days before the date of posting of the ballot paper. The date fixed for the poll shall not be less than 14 clear days after the date of posting of the ballot paper.

43. *Non-receipt or loss of ballot peaper by an elector.*—When any elector has not received or has lost the ballot paper sent to him, be may make and transmit a declaration to that effect signed by himself and request the Returning Officer to send him duplicate papers in place of the ones not received or lost, and the Returning Officer, if satisfied as to the genuineness of the declaration issue duplicate papers through the post. In every case where duplicate papers are issued, the fact shall be noted against the number of the elector in the electoral roll for use at the time of scrutiny and counting of votes, and the word "Duplicate" in block capitals shall be written or stamped in ink on the declaration paper and the envelope addressed to the Returning Offier.

44. *Defective ballot papers, etc.*—If the elector receives any ballot paper, ballot paper cover, or declaration form which is, liable to be rejected for want of serial number, initial or for any reason arising from a clerical error or omission in the office of the Returning Officer, the elector shall within two days of the receipt of the same but before the time fixed for the commencement of the election bring the matter to the notice of the Returning Officer who shall, if satisfied, issue by post fresh ballot paper or ballot paper cover or declaration paper as the case may be, in its place. The fact that a fresh ballot paper, ballot paper cover or declaration has been issued shall be noted against the number of the elector on the electoral roll for use at the time of scruitny and counting.

45. *Procedure when election papers are spoilt.*—When an elector has inadvertently spoilt the ballot apper or any other connected papers sent to him, he shall make a declaration to that effect signed by himself and transmit the same to the Returning Officer, together with the spoilt papers and the Returning Officer on receipt of the spoilt papers, shall cancel them and issue through the post, fresh ones.

46. *Voting.*—The elector, in case he desires to vote at the election, shall, after filling up the declaration paper and the ballot paper in accordance with

the directions given in the letter of intimation and/or on the reverse side of the ballot paper, enclose the ballot paper in the cover marked "Ballot paper cover" and stick it and enclose the same and the declaration paper in the envelope addressed to the Returning Officer and send the envelope by registered post to the Returning Officer so as to reach him before the hour and date fixed for the poll or deposit the envelope or cause it to be deposited in the box provided for the purpose in the office of the Returning Officer during office hours on any working day, before the last date and hour fixed for the poll.

47. *Recording of votes of illiterate or disabled elector, etc.*—(1) If an elector is unable through illiteracy, blindness or by reason for any physical or other disability to record his vote in the manner prescribed, it shall be competent for him to record his vote by the hand of any of the persons specified in clause (2) and such person shall, on the declaration paper attest the incapacity and the fact of his having been requested by the elector to record his vote on his behalf and of its having been so marked by him in the presence of the elector.

(2) The following persons are empowered to record the vote under clause (1) namely:—

(i) Magistrate;

(ii) District Magistrate;

(iii) Sub-Registrars:

Provided that such person attesting the declaration paper about the incapacity of an elector shall not be a near relation of a candidate contesting the election.

48. *Closing of ballot box.*—The Returning Officer shall close the slit of the ballot box and seal it immediately after the hour appointed on the last date fixed for the poll.

49. *Procedure on counting.*—The scrutiny and counting of votes shall be conducted by the Returning Officer from the hour appointed on the date fixed for the scrutiny and counting of votes. No person shall be present at the scrutiny and counting, except the Vice-Chancellor, the Returning Officer, and such persons as the Vice-Chancellor may appoint to assist the Returning Officer, the candidate or not more than one representative of each candidate appointed by him in writing and approved by the Returning Officer. The ballot box shall be opened at the hour fixed for the scrutiny, and the envelopes in the box scruitnised by the Returning Officer.

50. *Envelope when rejected.*—(1) An envelope shall be rejected before opening—

(a) if it is not the one sent by the Returning Officer;

(b) if it does not bear any serial number.

(2) If two envelopes bearing the same serial number are received and one of them is superscribed as "Duplicate", the latter alone shall be accepted.

51. *Ballot paper cover when rejected.*—(1) A ballot paper cover shall be rejected—

(i) if it is not accompanied by the declaration paper sent by the Returning Officer; or

(ii) if the envelope contains no declaration paper outside the ballot paper cover; or

(iii) if the envelope contains anything other than the declaration paper and the ballot paper cover; or

(iv) if the declaration is not in accordance with the statutes; or

(v) if the ballot paper is placed outside the ballot paper cover; or

(vi) if more than one declaration paper or ballot paper cover have been enclosed in one and the same envelope; or

(vii) if the serial number in the declaration paper differs from the serial number of the envelope addressed to the Returning Officer.

(2) In each case of rejection, the word "Rejected" shall be endorsed by the Returning Officer on the ballot paper cover or the declaration paper as the case may be.

52. *Manner of recording votes.*—Every elector entitled to vote at the election shall have as many preferences as there are candidates. An elector may indicate the order of his preference by placing the figure 1, 2, 3 etc., against the names of the candidates, who represent respectively his first, second, third etc. choice.

53. *Ballot paper when rejected.*—(1) The ballot paper covers other than those rejected shall be mixed together and then opened in the presence of the Returning Officer. The Returning Officer shall then proceed with the scrutiny of the ballot papers.

(2) The Returning Officer shall reject a ballot paper as invalid, for the following reasons, namely:—

(i) if the ballot paper cover contains any matter other than the ballot paper;

(ii) if it does not bear the initials of the Returning Officer;

(iii) if the voter signs his name or writes any word or makes any mark by which the identity of the voter becomes recognisable;

(iv) if the figure 1 is not marked; or

(v) if the figure 1 is set opposite the name of more than one candidate; or is so marked as to render it doubtful to which candidate it is intendedto apply; or

(vi) if the figure 1 and some other figures are set opposite the name of the same candidate.

On every paper so rejected, the Returning Officer shall endorse the word "Rejected" stating the grounds of rejection, and keep such rejected papers in a separate packet.

54. *Fractions and preferences.*—In carrying out the provisions regarding the procedure for election hereinafter prescribed—

(1) all fractions shall be disregarded; and

(2) all preferences recorded for candidates already elected or excluded from the poll shall be ignored.

55. *Division into parcels according to first preferences.*—After the invalid ballot papers, if any, have been rejected, the remaining papers shall be divided into parcels according to the first preferences recorded for each candidate and the number of papers in each parcel noted and credited to the concerned candidate's account.

56. *Quota.*—The number of papers in all the parcels shall then be added together and the total divided by a number exceeding by one the number of vacancies to be filled by election and the quotient increased by one shall be the number sufficient to secure the return of candidate, hereinafter called the "quota".

57. *When persons who obtained quota are declared elected.*—(1) If at the end of any count a number of candidates equal to the number of vacancies to be filled by election has obtained the quota, such candidates shall be treated as elected and no further steps shall be taken.

(2) Any candidate, in whose parcel the number of votes on the first preference being counted is equal to or greater than the quota, shall be duly declared elected.

(3) If the number of papers in any such parcel is equal to the quota, the papers shall be set as finally disposed of.

58. *Transfer of surplus.*—(1) If the number of the papers in any such parcel is greater than the quota, the surplus shall be transferred to the continuing candidates so indicated on the ballot papers as next in the order of the voters' preference, in the manner hereinafter prescribed.

(2) If more than one candidate has a surplus, the largest surplus shall be dealt with first and the others in the order of magnitude, provided that every surplus arising on the first count of votes shall be dealt with before those arising on the second count, and so on.

(3) Where two or more surpluses are equal, regard shall be had to the original votes of each candidate and the candidate who is credited with the largest number of original votes shall have his surplus first distributed and

if their original votes are equal, the Returning Officer shall decide by lot which candidate shall have his surplus first distributed.

(4) (i) If the surplus of any candidate to be transferred arises from original votes only, the Returning Officer shall examine all the papers in the parcel belonging to the candidate, divide the unexhausted papers into sub-parcels according to the next preference recorded thereon and make a separate sub-parcel of the exhausted papers.

(ii) The number of the papers in each sub-parcel and the total of all the unexhausted papers shall then be ascertained.

(iii) If the total number of the unexhausted papers is equal to or less than the surplus to be transferred, all the sub-parcels shall be transferred to the continuing candidates, the value of each paper so transferred being one.

(iv) If the total number of unexhausted papers is greater than the surplus, the sub-parcels shall be transferred to the continuing candidates, and the value at which each paper shall be transferred shall be ascertained by dividing the surplus by the total number of unexhausted papers.

(5) If, in ascertaining the number of papers to be transferred, from a sub-parcel, fractional parts are found to exist and if, owing to the existence of such fractional parts the number of papers to be transferred is less than the surplus, as many of these fractional parts taken in the order of their magnitude, beginning with the largest, as are necessary to make the total number of papers to be transferred equal to the surplus shall be reckoned as of the value of unity, and the remaining fractional parts shall be ignored. If two or more fractional parts are of equal magnitude, that fractional part shall be deemed to be the larger which arises from the largest sub-parcel, and if the sub-parcels in question are equal in size, preference shall be given to the candidate who obtained the larger number of original votes.

(6) If the surplus of any candidate to be transferred arises from transferred as well as original votes, all the papers in the sub-parcel last transferred to the candidate shall be examined and the exhausted papers divided into sub-parcels according to the next preference recorded thereon. The sub-parcels shall be dealt with in the same manner as is provided in the case of the sub-parcels referred to in clause (4).

(7) The papers transferred to each candidate shall be added in the form of a sub-parcel to the papers already belonging to such candidate, and the value of such transferred votes credited to his account.

(8) All the papers in the parcel or sub-parcel of an elected candidate not transferred to any continuing candidate under this Statute shall be set apart as finally disposed of.

59. *Exclusion of candidate lowest in the poll.*—(1) If, after all the surpluses have been transferred as hereinafter provided, the number of candidates elected is less than the required number, the Returning Officer shall exclude from the poll the candidate lowest on the poll and shall distribute his unexhausted papers among the continuing candidates according to the next

preferences marked thereon and any exhausted papers shall be set apart as finally disposed of.

(2) The papers containing original votes of an excluded candidate shall first be transferred, the transfer value of such paper being one.

(3) The papers containing the transferred votes of an excluded candidate shall then be transferred in the order of the transfers in which, and at the value at which he obtained them.

(4) Each of such transfers shall be deemed to be a separate transfer, but not a separate count.

(5) If the total of the votes of two or more candidates lowest on the poll together with any surplus votes transferred, is less than the votes credited to the next highest candidates, those candidates may in one operation be excluded from the poll and their votes transferred in accordance with the provisions in clauses (1) to (4).

(6) The above process shall be repeated on the successive exclusions one after another of the candidate lowest on the poll until the last vacancy is filled, either by the election of a candidate with the quota or as hereinafter provided.

60. *Completion of transfer when quota obtained.*—If as, a result of a transfer of papers under these Statutes, the number of votes obtained by a candidate is equal to or greater than the quota, the transfer then proceeding shall be completed and no further papers shall be transferred to him.

61. *Procedure in the case of candidate obtaining votes equal to or greater than the quota.*—(1) After the completion of any transfer under these Statutes, the number of votes of any candidate is equal to or greater than the quota, he shall be declared elected.

(2) If the number of the votes of any candidate is equal to the quota the whole of the papers on which such votes are recorded shall be set aside as finally disposed of.

(3) If the number of the votes of any such candidate is greater than the quota, his surplus shall thereupon be distributed in the manner hereinbefore provided, before the exclusion of any other candidate.

62. *When continuing candidates are declared elected.*—When at the end of any count, the number of continuing candidates is reduced to the number of vacancies remaining unfilled, the continuing candidates shall be declared elected.

63. *When the number of votes of one candidate exceeds the total votes of the other candidates.*—When at the end of any count only one vacancy remains unfilled and the number of votes of any one candidate exceeds the total of all the votes of the other continuing candidates together with any surplus not transferred, the candidate shall be declared elected.

64. *When continuing candidates have equal number of votes.*—When at the end of any count only one vacancy remains unfilled and there are only two continuing candidates and each of them has the same value of votes and no surplus remains capable of transfer, the Returning Officer shall decide by lot which of them shall be excluded, and after the exclusion of one of the candidates by drawing lots, the other candidate shall be declarod elected.

65. *Exclusion of candidate when two or more candidates have equal number of votes.*—If at any time it becomes necessary to exclude a candidate and two or more candidates have the same number of votes and are lowest on the poll, regard shall be had to the original votes of each candidate, and the candidate for whom the lowest original votes are recorded shall be first excluded; and if their original votes are equal, the Returning Officer shall decide by lot which candidate shall be excluded.

66. *Recounting.*—Any candidate or his agent may at any time during the counting of votes, either before the commencement or after the completion of any transfer of votes, request the Returning Officer to re-examine or recount the papers of all or any candidate (not being papers set aside at any previous transfer as finally disposed of) and the Returning Officer shall forthwith re-examine or recount the same accordingly.

The Returning Officer may, at his discretion, recount the votes either once or more than once in any case in which if he is not satisfied as to the the accuracy of any previous count, provided that nothing in this Statute shall make it obligatory on the Returning Officer to recount the same votes more than once.

67. *Declaration of results.*—The Returning Officer shall at the end of of the counting declare the names of the candidates who have been duly elected.

68. *Record of Election.*—(1) The Returning Officer shall prepare a record in the prescribed form showing—

(a) The number of voters who voted;

(b) The number of ballot papers rejected;

(i) as being received late;

(ii) for irregularities connected with the declaration;

(iii) as invalid;

(c) the number of valid ballot papers;

(d) the number of votes obtained by each candidate at each stage of the transfer;

(e) the stages at which each candidate was declared elected.

(2) The Returning Officer shall also prepare a result sheet showing the result at various stages of the counting.

CHAPTER III

PROCEDURE FOR ELECTION WITHOUT POSTAL BALLOT

[*See* Statute 3 (2)]

PART A

69. *Application of certain provisions.*—Subject to the following provisions, the Statutes 35 to 41 and 49 to 68 of Chapter II shall *mutatis mutandis* apply to election otherwise than by postal ballot held under this part.

70. *Erection of polling stations.*—In the case of elections held under this part, polling stations shall be provided in the University Office and/or in the University centres.

71. *Notification of election.*—The notification shall, *inter alia* contain information on the place where polling stations will be provided and the date on which and the time during which the poll shall be taken. The electors shall exercise voting in the respective polling stations.

72. *Polling Agents.*—A candidate may appoint any number of polling agents with the approval of the Returning Officer, so however that there shall not be more than two agents for a particular polling station, for a particular candidate.

73. *Presiding Officers and Polling Officers.*—(1) The Returning Officer may appoint a Presiding Officer for each polling station and such polling officer or officers as he thinks necessary, but he shall not appoint any person who has been employed by or on behalf of, or has been otherwise working for a candidate in or about the election.

(2) If a polling officer is absent from a polling station, the presiding officer may appoint any person who is present at the polling station who is not disqualified to be a polling officer under clause (1) during the absence of the former officer and inform the Returning Officer accordingly.

(3) A Polling Officer shall perform all or any of the functions of the Presiding Officer if so directed by the Presiding Officer.

(4) If the Presiding Officer is absent owing to illness or other cause, his functions shall be performed by such Polling Officer as has been previously authorised by the Returning Officer to perform such functions.

74. *Duties of the Presiding Officer and the Polling Officer.*—(1) It shall be the general duty of the Presiding Officer at a polling station to keep order thereat and to see that the poll is fairly taken.

(2) The Polling Officer shall assist the Presiding Officer in the performance of this functions.

75. *Prohibition of canvassing in or near polling station.*—No person shall, on the date or dates on which a poll is taken at any polling station, commit any of the following acts within the polling station or within a distance of one hundred metres of the polling station, namely:—

(a) canvassing for votes; or

(b) soliciting the vote of any elector; or

(c) persuading any elector not to vote for any particular candidate; or

(d) persuading any elector not to vote at the election; or

(e) exhibiting any notice or sign for improving his prospects of election.

76. *Voting.*—(1) Voting shall be by secret ballot. No vote shall be given by proxy.

(2) The ballot box shall be placed in a convenient place with arrangements for exercising the franchise by the electors by depositing the ballot papers through a slit provided in the box.

(3) Each voter has to produce a duly signed identity form which shall be prescribed by the Vice-Chancellor. Ballot papers shall not be issued to those who fail to produce this identity form.

(4) The Polling Officer shall ascertain (a) the identity of the voter before issue of the ballot paper and (b) that the person desiring to vote has not already exercised his franchise.

(5) At the time of issue of the ballot paper, a tick mark may be placed against the name of the elector in a copy of the electoral roll kept for the purpose and the elector shall also sign against his name in the roll.

(6) The name of the voter shall be entered in the serially numbered counterfoil and the ballot paper corresponding to that counterfoil shall be torn off after affixing the initials of the Presiding Officer thereon and handed over to the voter.

(7) The voter who has received the ballot paper shall then proceed to a place screened from observation by others for marking the vote, record his vote in the manner prescribed and then proceed to the place where the ballot box is placed and deposit the same in the ballot box. The ballot paper must be deposited in the box even if the voter does not desire to record his vote for any candidate. No ballot paper shall be taken away from the polling booth.

(8) No voter shall be allowed to enter the place arranged for marking the vote when another voter is there and no voter shall remain there longer than is necessary for recording his vote.

(9) If a voter is incapacitated by physical infirmity, it shall be competent for him to record his vote by the hand of the Returning Officer or by his deputy.

The Presiding Officer shall seal the slit of the ballot box immediately after the hour appointed on the day fixed for the poll and hand it over to the Returning Officer the same day.

77. *Adjournment of poll in emergencies.*—(1) If the proceedings at any place of polling are interrupted or obstructed by riot or open violence, or if it is not possible to take the poll at any such place on account of a natural calamity or other sufficient cause, the Presiding Officer may announce an adjournment of the poll to a date to be notified later and immediately report the circumstances which led to the adjournment to the Returning Officer.

(2) Whenever a poll is adjourned under clause (1) the Returning Officer shall, as soon as may be, fix the day on which, the place at which and the hours during which the adjourned poll shall be taken, and shall notify the said details to all concerned in such manner as he may think fit.

(3) On the date on which such adjourned poll is taken, the electors who have already voted at the poll before its adjournment shall not be entitled to vote. Only the remaining electors who were entitled to vote at the place of polling before its adjournment shall vote.

78. *Fresh poll in the case of destruction etc., of ballot boxes.*—(1) If at any election, any ballot box used at a polling station is unlawfully taken out of the custody of the Presiding Officer or the Returning Officer, or is in any way tampered with or is accidentally or intentionally destroyed, lost or damaged and the Returning Officer is satisfied that in consequence thereof the result of the poll at that polling station cannot be ascertained, he shall—

(a) declare the polling at that polling station to be void;

(b) appoint a day and fix the hours for taking a fresh poll at that polling station;

(c) notify the day so appointed and fix the hours of the fresh poll.

(2) The provisions of these Statutes shall, so far as may be, apply to the fresh poll as they apply to the original poll.

PART B

[*See* Statute 3 (3)]

79. *Application of certain provisions.*—Subject to the following provisions, the Statutes 35 to 41 and 49 to 68 of Chapter II and Statutes 72, 74, 75, 77 and 78 of Part A, Chapter III shall *mutatis mutandis* apply to election without postal ballot held under this part.

80. *Erection of polling stations.*—In the case of elections held under this part, polling stations shall be provided in every college and University departments. The teachers, post-graduate students and non-teaching staff of each college shall be entitled to vote only at that polling station.

81. *Notification of election.*—The notification shall inter-alia include information on the places where polling stations shall be provided and the date on which and the time during which the poll shall be taken.

82. *Presiding Officers.*—(1) The Returning Officer may appoint the Principals of Colleges or such other persons as may be decided by him as the Presiding Officers of the polling stations in the respective colleges and University Departments. In case the Returning Officer is of opinion that the Principal should not be appointed as the Presiding Officer in any College, he may record his reasons for so doing and appoint any other person in the college as the Presiding Officer.

(2) The Presiding Officer or such other person as may be appointed by the Returning Officer under clause (1), may appoint the required number of teaching/non-teaching staff from the College to assist him in the conduct of the poll.

83. *Despatch of Ballot paper.*—The Returning Officer shall forward to the Presiding Officers sufficiently in advance, the required number of (1) serially numbered ballot papers (2) ballot paper covers (3) copies of the concerned electoral rolls and (4) copies of the letter of intimation. Copies of the letter of intimation shall be supplied to the voters by the Presiding Officer at least one day in advance of the date of polling.

84. *Voting.*—(1) Voting shall be by sceret ballot. No vote shall be given by proxy.

(2) At each polling station there shall be set a separate voting compartment screened from observation by others for marking the vote.

(3) The Presiding Officer shall regulate the number of electors to be admitted at any one time inside the polling booth.

(4) Each voter shall be supplied with a ballot paper and a ballot paper cover after ascertaining (a) the identity of the voter and (b) that the person desiring to vote has not already exercised his franchise.

(5) Before issue of the ballot paper, the voter *shall sign against his/her name* in the copy of the electoral roll kept by the Presiding Officer.

(6) The name and roll number of the elector shall be entered by the Presiding Officer on the counterfoil of the ballot paper and the ballot paper corresponding to that counterfoil shall be torn off and handed over to the voter along with a ballot paper cover.

(7) The voter who has received the ballot paper shall proceed to the polling booth to record his vote in the manner prescribed, fold the ballot paper so as to conceal his markings and then enclose the ballot paper in the ballot paper cover and stick it. The closed ballot paper cover containing the ballot paper shall be deposited in the ballot box kept before the Presiding Officer who shall keep it in safe custody. No ballot paper or ballot paper cover shall be taken away from the polling booth.

(8) If a voter is incapacitated by physical infirmity it shall be competent for him to record his vote by the hand of the Presiding Officer or his deputy.

85. *Closing of Poll.*—At the close of the hour fixed for the poll or/and when all who have reported before him for polling before the close of the hour fixed for the poll have exercised their franchise, the Presiding Officer shall close the poll and shall not thereafter issue ballot paper to any elector.

86. *Packing of the ballot paper covers.*—(1) Immediately after the close of the poll, the Presiding Officer shall check the total number of ballot papers issued, and the number of ballot paper covers issued against the marked copy of the electoral roll. He shall also prepare a ballot paper account in the form supplied by the Returning Officer. He shall then make into separate packets—

(i) The ballot paper account;
(ii) The marked copy of the electoral roll;
(iii) The unused ballot papers;
(iv) The counterfoils of used ballot papers;
(v) Unused ballot paper covers;
(vi) The ballot paper covers containing ballot papers; and
(vii) Any other paper directed by the Returning Officer to be kept in a sealed packet.

(2) All the above items shall be separately packed and affixed with the seal of the Presiding Officer.

87. *Transmission of ballot papers to the Returning Officer.*—The Presiding Officer shall despatch preferably in one bundle the sealed packets referred to in the above Statute securely packed by Registered post with acknowledgement due to the Returning Officer by name *on the same day*. The bundle shall bear the superscription "Election papers—Confidential".

CHAPTER IV

PROCEDURE FOR THE ELECTION OF MEMBERS TO THE SENATE BY THE MEMBERS OF THE LEGISLATIVE ASSEMBLY REPRESENTING THE ELECTORATE OF THE UNIVERSITY AREA

[*See* Statute 3 (4)]

88. *Election of Members from the Legislative Assembly.*—In the case of election of members to the Senate by the members of the Legislative Assembly of Kerala from among the members representing the electorate of the University area, the Registrar shall make a request to the Secretary of the Legislative Assembly to make necessary arrangements for the election of six members to the Senate specifying a date on or before which the result of such election shall be communicated to him. Such date shall be fixed in consultation with the Secretary, Legislative Assembly.

89. (1) On receipt of such request under statute 88, the Secretary of the Legislative Assembly shall arrange to hold the election and communicate the result of such election to the Registrar on or before the date specified.

(2) The Secretary, Legislative Assembly shall, in the case of such election, exercise the powers and perform the duties of the Vice-Chancellor and the Returning Officer.

(3) The election held under this Chapter shall be by postal ballot and the provisions of Chapter II shall *mutatis mutandis* apply to such election.

CHAPTER V

ELECTION PETITIONS

90. *Presentation of election petition.*—(1) An election petition calling in question any election may be presented within seven days of the declaration of the result of the election by any candidate at such election on

(a) one or more of the grounds specified in sub-section (1) of section 33 of the Ordinance; or,

(b) that the result of the election has been materially affected—

(i) by the improper reception or refusal of a vote; or

(ii) by any non-compliance with the provisions of the Ordinance or of any Statutes issued thereunder; or

(iii) that the nomination of any candidate has been wrongly rejected or the nomination of the successful candidate or of any other candidate who has not withdrawn his candidature has been wrongly accepted.

(2) Every election petition shall be accompanied by as many copies thereof as there are respondents mentioned in the petition and every such petition shall be attested by the petitioner under his own signature to be a true copy of the petition.

91. *Parties to the petition.*—A petitioner shall join as respondents to his petition—

(a) Where the petitioner in addition to claiming a declaration that the election of all or any of the returned candidate is void, claims a further declaration that he himself or any other candidate has been duly elected; all the contesting candidates other than the petitioner; and

(b) Where no such further declaration is claimed all the returned candidates.

92. *Contents of petition.*—(1) An election petition—

(a) Shall contain a concise statement of the material facts on which the petitioner relies;

(b) Shall set forth full particulars of the mal-practice that the petitioner alleges including as full a statement as possible of the names of the persons alleged to have committed such mal-practice; and

(c) Shall be signed by the petitioner.

(2) Any schedule or annexure to the petition shall also be signed by the petitioner.

93. *Relief that may be claimed by the petitioner.*—A petitioner may, in addition to claiming a declaration that the election of all or any of the returned candidate is void, claim a further declaration that he himself or any other candidate has been duly elected.

CHAPTER VI

MISCELLANEOUS

94. *Voting by electors under preventive detention.*—(1) Notwithstanding anything contained in the foregoing provisions of these Statutes, an elector, if he is subjected to preventive detention under any law for the time being in force, shall be entitled to vote by postal ballot.

(2) The Returning Officer shall send by Registered post, to the Officer in charge of the jail or other place where the elector is detained, a ballot paper together with the connected records and a letter of instructions, so as to reach that officer in good time before the date fixed for polling.

(3) On the date of polling, the said officer shall deliver the ballot paper and other necessary papers to the elector, allow him all reasonable facilities and sufficient time not exceeding two hours, for recording his vote in accordance with the instructions of the Returning Officer, and if and when the elector has so recorded his vote, send the ballot paper and other connected records in a sealed cover either by registered post or through a special messenger to the Returning Officer so as to reach him before the time fixed for the counting of votes.

By order of the Governor,

P. K. UMASHANKAR,
Special Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to give the general purport).

Section 83 of the Calicut University Ordinance, 1974 (15 of 1974) confers power on the Government to make the First Statutes of the University of Calicut notwithstanding anything contained therein. One of the items for which statutes have to be framed relate to the procedure for the election of members to the various authorities of the University and all such other matters relating to these authorities as may be necessary or desirable to provide. This notification is intended to achieve the above object.

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Government of Kerala
1975

Reg. No. K. 107.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XX] Trivandrum, Monday, 17th March 1975 / 26th Phalguna 1896 [No. 144

GOVERNMENT OF KERALA

Higher Education (B) Department

NOTIFICATION

No. 4395/B2/75/H. Edn. *Dated, Trivandrum, 17th March 1975.*

S. R. O. No. 246/75.—In exercise of the powers conferred by Section 83 of the Calicut University Ordinance, 1974 (15 of 1974), the Government of Kerala hereby make the following First Statutes, namely:—

FIRST STATUTES

1. *Short title and commencement.*—(1) These Statutes may be called the Calicut University (Registration of Graduates) First Statutes, 1975.

(2) They shall come into force at once.

2. *Definitions.*—(1) For the purpose of these Statutes,

(a) "Ordinance" means the Calicut University Ordinance, 1974 (15 of 1974);

(b) "Clear days" means the number of days to be counted excluding the first and the last day.

2. The words and expressions used and not defined in these Statutes but defined in the Calicut University Ordinance, 1974 (15 of 1974) or in the Interpretation and General Clauses Act, 1125, shall have the meaning respectively assigned to them in that Ordinance or that Act.

33/811/MC

3. *Eligibility for Registration.*—The Syndicate shall maintain a Register of Registered Graduates in which a Graduate of any of the following classes may have his name entered and retained so long as he continues to be employed in or normally resident in the territorial jurisdiction of the University:—

(a) A Graduate of the University of Calicut constituted under the Calicut University Act, 1968 (24 of 1968) who became eligible for a degree in any Faculty not less than three years before the date of application for registration and who has taken the degree before the date of application shall be entitled to be registered as a Graduate of the University constituted under this Ordinance.

(b) A Graduate of any other Statutory University in India or of any foreign University that may be recognised by the Syndicate for the purpose of registration who became eligible for a degree in any Faculty not less than three years before the date of application for registration and who has taken the degree before the date of application shall be entitled to be registered as a Graduate of the University constituted under this Ordinance.

(c) Holders of the Honorary Degree of the University of Calicut.

4. *Authority for Registration.*—The Vice-Chancellor shall be the competent authority to admit a Graduate as the Registered Graduate of the University.

5. *Procedure for Registration.*—The application for Registration shall be sent in the form prescribed for the purpose by the University of Calicut with a fee of Rs. 20. The Degree Certificate in original or a duplicate of it issued by the concerned University, in case the original has been irrecoverably lost, shall be forwarded, along with the application for registration. He shall produce with the form for registration an affidavit in such form as may be prescribed by the University, to the effect that he is ordinarily resident within the territorial limits of the Calicut University.

6. *Renewal of Registration.*—(1) Every person whose name has been entered in the Register of Graduates as per these Statutes shall renew his registration every five years, on application made in that behalf to the Registrar by registered post acknowledgment due, without payment of any fee. The names of those persons who fail to renew their registration shall be struck off from the Register of Graduates. Intimation shall be given both of renewal and removal by the University, to the concerned party.

(2) Every registered Graduate shall, subject to the provisions of clause (1), have his name retained in the Register during his life time, unless his name has been removed from the Register of Graduates in the circumstances stated in sub-section (2) of section 44 of the Ordinance, by the Senate or under Statute 10.

7. *Revision and correction of register.*—The Register of Graduates shall be revised and corrected on the first day of November each year and application

for revision or correction of the Register of Graduates shall reach the Registrar not less than thirty clear days before the first day of November each year.

8. *Eligibility to participate in elections.*—A graduate who gets himself registered not less than sixty clear days before the date of publication of the electoral roll, shall be eligible to participate in the election.

9. *Inspection of Register.*— (1) Any Graduate whose name is in the Register shall be entitled to inspect the Register during office hours on application to the Registrar and on payment of the fee to be prescribed by the Vice-Chancellor and to have a copy of the list of registered graduates corrected upto the last revision under Statute 7.

(2) The University shall have the right to reserve to itself the right of printing and reprinting the list of Registered Graduates. Supplemental list or of lists of Registered Graduates shall be supplied on payment of the price to be fixed by the Vice-Chancellor from time to time.

10. *Removal of names of Graduates.*—(1) Every Registered Graduate shall report his change of address to the Registrar.

(2) In case he fails to intimate his change of address to the Registrar and when any communication is posted to a registered graduate to his address as originally registered in the Register of Graduates and it is returned through the Returned Letter Office to the Registrar undelivered with an endorsement by the postal department that the addressee has shifted, it shall be competent for the Registrar to hold that he is not entitled to be in the list of Registered Graduates as per these Statutes. The Registrar shall thereupon remove his name from the Register of Registered Graduates.

(3) If the Vice-Chancellor on enquiry is satisfied that a person whose name has been included in the Register of Graduates is deceased, he shall remove the name of such person from the Register.

(4) If at any time after registration as a registered graduate any person for any reason whatsoever is deprived in any manner of his degree or degrees which entitled him to such registration, he shall cease to be a registered graduate of the University from that date. The Registrar shall thereupon remove his name from the Register.

(5) If the Vice-Chancellor on enquiry is satisfied that a Graduate who has registered his name in the Register of Graduates as per these Statutes has shifted his residence from the University area, he shall remove his name from the Register of Graduates.

By order of the Governor

P. K. Umashankar,

Special Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to give the general purport.)

Section 83 of the Calicut University Ordinance, 1974 (15 of 1974) confers power on the Government to make the First Statutes, notwithstanding anything contained therein. One of the items for which Statutes have to be framed is for the maintenance of a register of registered graduates. The Register of Registered Graduates is intended for the inclusion of the names of graduates who desire to register themselves with the University afresh as registered graduates under this Ordinance. The notification is intended to achieve the above object.

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TRIVANDRUM, 1975.

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1975

Reg. No. K. 107.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XX] Trivandrum, Monday, 17th March 1975 / 26th Phalguna 1896 [No. 145

GOVERNMENT OF KERALA

Home (SS) Department

ORDER

No. 59466/SS1/74/Home. *Dated, Trivandrum, 6th March 1975.*

S. R. O. No. 247|75.—Under Section 5 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act 1974 (Central Act 52 of 1974), the Government of Kerala hereby order that K. S. Hassankutty detained under section 3(1) of the said Act shall be removed to the Central Prison, Cannanore from the Central Prison, Trivandrum on 18-3-1975 to facilitate his temporary release on 20-3-1975 in connection with his daughter's marriage.

By order of the Governor,
S. NARAYANASWAMY,
Special Secretary to Government.

Explanatory Note

It is considered necessary to remove the detenu to the Central Prison, Cannanore in order to facilitate his temporary release in connection with his daughter's marriage.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1975.

33|816|MC.

Fourth Kerala Legislative Assembly
Bill No. 218

THE KERALA APPROPRIATION (No. 2) BILL, 1975

A

BILL

to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year commencing on the first day of April, 1975.

Preamble.—WHEREAS it is necessary to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year commencing on the first day of April, 1975;

BE it enacted in the Twenty-sixth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Appropriation (No. 2) Act, 1975.

2. *Withdrawal of Rs.* 576,93,32,700 *from and out of the Consolidated Fund of the State of Kerala for the financial year commencing on the first day of April,* 1975.—From and out of the Consolidated Fund of the State of Kerala there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of five hundred and seventy-six crores, ninety-three lakhs, thirty two thousand and seven hundred rupees towards defraying the several charges which will come in course of payment during the financial year commencing on the first day of April, 1975, in respect of the services and purposes specified in column 2 of the Schedule.

3. *Appropriation.*—The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala by this Act shall be appropriated for the services and purposes specified in the Schedule in relation to the said year.

THE SCHEDULE

(*See* sections 2 and 3)

1	2		3		
			Sums not exceeding		
No. of Vote	*Services and purposes*		*Voted by the Assembly*	*Charged on the Consolidated Fund*	*Total*
			Rs.	Rs.	Rs.
I.	State Legislature	—Revenue	42,33,700	66,100	42,99,800
II.	Heads of States, Ministers and Headquarters Staff	—Revenue	2,67,93,400	54,05,800	3,21,99,200
III.	Administration of Justice	—Revenue	2,99,56,300	33,23,100	3,32,79,400
IV.	Elections	—Revenue	78,37,800	..	78,37,800
V.	Agricultural Income Tax and Sales Tax	—Revenue	2,05,88,700	35,000	2,06,23,700
VI.	Land Revenue	—Revenue	5,33,62,900	8,84,000	5,42,46,900
VII.	Stamps and Registration fees	—Revenue	1,79,26,500	1,000	1,79,27,500
VIII.	Excise	—Revenue	1,16,91,600	15,000	1,17,06,600
IX.	Taxes on Vehicles	—Revenue	38,99,100	1,000	39,00,100
	Debt charges		..	33,66,52,100	33,66,52,100
X.	Treasury and accounts	—Revenue	1,32,54,300	..	1,32,54,300
XI.	District Administration and Miscellaneous	—Revenue	2,08,70,800	47,21,000	2,55,91,800
XII.	Police	—Revenue	14,62,02,000	5,100	14,62,07,100
XIII.	Jails	—Revenue	82,55,900	1,000	82,56,900

XIV.	Stationery and Printing and other administrative services	—Revenue	2,34,13,400	..	2,34,13,400
XV.	Public Works	—Revenue	19,13,28,000	3,42,200	19,16,70,200
		—Capital	3,84,15,200	2,01,000	3,86,16,200
XVI.	Pensions and miscellaneous	—Revenue	12,17,88,400	23,90,200	12,41,78,600
XVII.	Education, Art and Culture	—Revenue	118,50,35,600	12,21,000	118,62,56,600
		Capital	2,75,84,000	..	2,75,84,000
XVIII.	Medical	—Revenue	21,79,43,100	1,06,000	21,80,49,100
		Capital	77,75,000	..	77,75,000
XIX.	Family Planning	—Revenue	2,98,15,000	..	2,98,15,000
		Capital	17,00,000	..	17,00,000
XX.	Public Health	—Revenue	5,40,60,800	..	5,40,60,800
		Capital	7126,13,300	..	7,26,13,300
XXI.	Housing	—Revenue	1,25,88,600	4,00,000	1,29,88,600
		Capital	1,35,00,100	..	1,35,00,100
XXII.	Urban Development	—Revenue	65,33,300	..	65,33,300
		Capital	5,00,100	..	5,00,100
XXIII.	Information and Publicity	—Revenue	23,67,000	..	23,67,000
XXIV.	Labour and Employment	—Revenue	1,89,36,300	1,000	1,89,37,300
		Capital	11,00,000	..	11,00,000
XXV.	Social Welfare including Harijan Welfare	—Revenue	10,53,35,900	51,000	10,53,86,900
		Capital	78,09,200	..	78,09,200
XXVI.	Famine	—Revenue	60,00,000	..	60,00,000
XXVII.	Co-operation	—Revenue	1,93,16,200	500	1,93,16,700
		Capital	8,25,94,300	..	8,25,94,300
XXVIII.	Miscellaneous Economic Services	—Revenue	7,33,42,000	100	7,33,42,100
		Capital	6,13,00,000	..	6,13,00,000

1	2		3		
No. of Vote	*Services and purposes*		*Sums not exceeding*		
			Voted by the Assembly	*Charged on the Consolidated Fund*	*Total*
			Rs.	Rs.	Rs.
XXIX.	Agriculture	—Revenue	10,18,05,200	1,000	10,18,06,200
		Capital	7,58,71,400	50,000	7,59,21,400
XXX.	Food and Nutrition	—Revenue	89,15,000	..	89,15,000
		Capital	5,97,54,300	10,00,000	6,07,54,300
XXXI.	Animal Husbandry	—Revenue	4,94,43,700	1,000	4,94,44,700
		Capital	9,10,000	..	9,10,000
XXXII.	Dairy	—Revenue	1,83,42,700	..	1,83,42,700
		Capital	20,12,000	..	20,12,000
XXXIII.	Fisheries	—Revenue	2,16,49,400	15,000	2,16,64,400
		Capital	1,22,09,000	..	1,22,09,000
XXXIV.	Forest	—Revenue	6,51,90,900	50,000	6,52,40,900
		Capital	1,05,12,300	1,000	1,05,13,000
XXXV.	Community Development	—Revenue	6,75,52,500	1,000	6,75,53,500
		Capital	9,00,000	..	9,00,000
XXXVI.	Industries	—Revenue	2,05,92,000	1,000	2,05,93,000
		Capital	5,22,95,100	50,100	5,23,45,200
XXXVII.	Irrigation	—Revenue	7,28,25,600	2,000	7,28,27,600
		Capital	13,60,99,100	2,01,000	13,63,00,100
XXXVIII.	Power	—Revenue	4,40,00,100	..	4,40,00,100
		Capital	1,71,60,100	..	1,71,60,100
XXXIX.	Ports	—Revenue	51,69,900	25,000	51,94,900
		Capital	95,99,200	..	95,99,200

XL.	Transport	—Revenue	59,63,600	..	59,63,600
		Capital	88,00,100	..	88,00,100
XLI.	Tourism	—Revenue	42,75,700	..	42,75,700
		Capital	13,00,000	..	13,00,000
XLII.	Copensation and Assignments	—Revenue	90,00,000	..	90,00,000
	Public Debt Repayment		..	175,49,60,700	175,49,60,700
XLIII.	Contingency Fund		..	..	..
XLIV.	Miscellaneous Loans and Advances	—Capital	2,74,34,000	..	2,74,34,000
		Total	365,71,50,700	211,21,82,000	576,93,32,700

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204 of the Constitution of India, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys required to meet the expenditure charged on the Consolidated Fund and the grants made by the Legislative Assembly in respect of estimated expenditure the of the Government of Kerala for the financial year 1975-76.

Dr. K. G. ADIYODI.